SINGLE BENCH

C.F. 100/—

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3364 / 2006

Petitioner	Dr. Ku. Sushama Bajpai Age 61 Yrs D/o Late Shri S.S. Bajpai Asst. Professor at Govt. Dudadhari Bajrang Mahila College Raipur

P.R. No. 3422/06
Presented by Shri. Manish Sharma
dated 7/12/06

VERSUS

Respondent	State of Chhattisgarh, Through: Secretary, Deptt. of Higher Education, DKS Bhawan, Raipur

OATH COMMISSIONER
APARNA MALVIYA
CG07 2015
07/07/17
Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

63

आदेश पत्रक

मामला क्रमांक W.P.(S)No.3364/06 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.07.2006.

Mr. Manoj Sharma, counsel for the petitioner.

Mr. A.S. Kachhawaha, Govt. Advocate for the State/respondents, on advance copy.

Heard both the counsel.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged her transfer order dated 30/06/2006 (Annexure-P/1) whereby she has been transferred from Raipur to Kohka. The main ground for challenge is that she has already attained the age of 61 years and she is going to retire less than a year i.e. 08/06/2007.

Learned counsel for the petitioner submits that as per the policy of the Government those employees who are to retire within a period of one year, normally, they are not subjected to transfer for the reasons that their pension cases are decided and moreover at the time of retirement they require time to settle after retirement, as such, they are being posted as far as possible nearby their native place. Learned counsel submits that the petitioner may be allowed to make representation to which learned Govt. Advocate for the State/respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on merits of the case, the limited prayer laid by the learned counsel for the petitioners appears to be just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation to the respondent annexing a

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

64

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

copy of the instant writ petition within a period of five days from today and in turn, the respondent shall decide the representation of the petitioner within a period of fifteen days from the date of its receipt, in an objective manner, considering and examining the points raised by the petitioners, on its own merit and pass appropriate order, in accordance with law. Till the representation of the petitioner is decided, he should not be relieved, if she is not already relieved.

With the direction aforesaid, the writ petition stands disposed of. Consequently, M.(W.)P. No.2590 of 2006 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Brijesh

(पीछे देखिये)

Ref-06